IN THE HIGH COURT OF UTTARTANCHAL
AT NAINITAL.

Criminal Misc. Application No. 70 of 2004

Gagan Mehndiratta .....Applicant

Versus

1. Judge, Family Court, Dehradun
2. Smt. Shweta Mehndiratta …Respondents

Hon'ble M.M. Ghildiyal J.

Heard Sri Shobhit Shaharia learned counsel for the applicant and learned A.G.A.

This application under Section 482 of the Cr.P.C. has been moved by the petitioner for quashing the order dated 13.6.2003 passed by the Judge, Family Court, Dehradun or in the alternative to direct the Judge, Family Court Dehradun to decide the objection of the petitioner dated 17.7.2003 filed against the order dated 13.6.2003.

The facts of the case are that the respondent no.2 moved an application for interim maintenance on 6.5.2003 on which date 13.6.2003 was fixed. The contention of the petitioner is that he has received the notice of the interim application for maintenance on 13.6.2003 itself and on the same date the Judge, Family Court, Dehradun passed the order for interim maintenance and has directed the petitioner to pay Rs. 1500/- per month to the respondent no.2. Against the order dated 13.6.2003, the petitioner filed objection on 17.7.2003. However, the objection of the petitioner has not yet been decided although more than eight months have passed.

Considering the facts, I find it fit to direct the Jude, Family Court, Dehradun to decide the objection of the petitioner dated 17.7.2003 within a period of one month from the date of receipt of the certified copy of this order.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

Dated 24.2.2004

Rawat